



Kurdish Newroz celebration, Diyarbakir, March 21, 2013.

Lift the ban on the PKK in 2018!

The PKK is not a terrorist organisation. It should never have been listed as such by Australia. In August 2018 the PKK's current listing should not be renewed.

The Kurdistan Workers Party or PKK has been listed as a terrorist organisation under Australia's national security legislation continuously since 2006. Here are 8 reasons why the ending the ban in August 2018 is the right thing to do:

1. The PKK isn't involved in terrorism. It has never deliberately targeted civilians or engaged in indiscriminate violence. Its armed wing, the HPG, is engaged in an armed conflict with the Turkish military and security forces — in much the same way that East Timor's guerilla force, FALINTIL, fought Indonesia's military forces before independence. FALINTIL was never listed by Australia as a terrorist group — and nor should the PKK.

2. The ban is based on erroneous evidence. The PKK has been accused by Turkish security agencies of drug smuggling, child kidnapping and deliberate targeting of civilians, all without evidence. Rather than prove its assertions, Turkey simply lets its absurd claims lapse — but the damage has been done. If there is evidence of the PKK engaging in terrorism or crime, let it be clearly stated. In its absence, the ban on the PKK should end.

3. The PKK poses no threat to Australia or Australians. Unlike the Islamist groups that make up the other 24 organisations banned in Australia, many of which have targeted Australians overseas or plotted terrorist acts in Australia, the PKK has never sought to harm Australians or brought its armed struggle to this country.

4. The PKK is a legitimate national liberation movement. Its beliefs place it to the left of the Australian political spectrum — but that in itself has no connection to terror. Its three core principles are real grassroots democracy, ecology and an absolute commitment to the rights and empowerment of women — hardly the stuff of a terrorist organisation!

5. The PKK is allied to the Syrian Democratic Forces or SDF. This Kurdish-led and multi-ethnic alliance played the leading role in ridding northern Syria of the scourge of ISIS terror gangs. The US military saw fit to support and arm the SDF as a highly effective and principled force — so what sense is there in Australia banning an SDF ally as a terror group?

6. The PKK has significant support in the Australian community. Many Australians, particularly those of Kurdish background, support the PKK as a legitimate political movement representing their aspirations. Banning the PKK effectively criminalises their political choice and potentially exposes thousands of Australians to lengthy jail terms, as Duncan Kerr has argued (see last page).

7. The PKK has been the driving force for peace talks in Turkey. In March 2013 PKK leader Abdullah Öcalan initiated a peace process with the Turkish government, calling for a ceasefire and an end to the PKK's armed struggle. Peace talks got underway but were brought to an abrupt end by Erdogan's AKP, in a cynical attempt to foment nationalist sentiment and shore up its electoral support in the face of opposition gains.

8. The Turkish state is moving rapidly towards autocracy and dictatorship. Every day brings more news of the charging and jailing of opposition politicians, journalists and academics. Erdogan has established himself as a dictatorial president who uses compliant courts and the security apparatus to bully opponents and stifle dissent. The Turkish people deserve better — and Australia should be wary of banning the PKK at the behest of a tyrant.

Removing the ban on the PKK in Australia is an easy step for the government to take. It will not make Australia any less secure and is the principled and right thing for Australia to do. Lend your support and together let's **Lift the ban on the PKK in 2018!**

Turkey: A long history of oppression of Kurds

The Turkish Ottoman empire was defeated in World War One. British and French forces occupied many important cities and towns in Turkey. In 1919 a Greek army invaded the country. Eventually, Turkish nationalist forces under the leadership of Mustafa Kemal (the victor at Gallipoli) were victorious in what is known in Turkey as the 'war of independence'. In 1923 a new republic was proclaimed.

The Allies had promised the Kurds that they would have their own state. But in the event they were divided between four states (Turkey, Syria, Iraq and Iran).

During the 1919-22 struggle against the British, French and Greeks, Kemal courted the Kurds. But for all his vaunted secularism, Kemal wanted a state composed of ethnically Turkish Sunni Muslims. All others would be dealt with — one way or another.

The genocide of 1915 had disposed of the Armenian Christian minority; the much more numerous Muslim Kurds were to be assimilated. In March 1924, a government decree banned all Kurdish schools, associations, publications and religious orders. For decades even *speaking* Kurdish was a crime. The Kurdish regions were subject to brutal repression.

Erdogan & the Kurds

Recep Tayyip Erdogan's Justice and Development Party (AKP) won office in 2002. In the next period some restrictions on the Kurds were eased. The state of emergency in the Kurdish-majority southeast was lifted. An official Kurdish-language TV station began broadcasting.

But despite the limited liberalisation, the sole language of instruction in state schools remains Turkish. The 1980 military coup constitution remains with its racist assertion that all citizens of Turkey belong to the 'Turkish nation'.

War & dictatorship

In 2012 the AKP government began secret talks with jailed PKK leader Abdullah Öcalan. He called for a ceasefire, a withdrawal from Turkish territory and an end to the armed struggle. The fight for Kurdish rights would continue but take a different form. These perspectives were outlined in a letter read out at Kurdish Newroz celebrations in March 2013.

However, just as the peace process was gathering pace, in early 2015 Erdogan junked the negotiations. His calculation was that the AKP was losing support and his rivals were benefiting instead. Erdogan turned to the right-wing ultra-nationalist forces and anti-Kurd racism.

He resumed the war against the Kurds and unleashed the security forces on the Kurdish southeast. Army tanks fired into towns and villages. Hundreds were killed. Kurdish youth

in the communities organised armed self-defence; the PKK made a very limited military response.

The pro-Kurdish Peoples Democratic Party (HDP) has been crushed. Its top leaders have been jailed on trumped-up charges and many of its MPs are in prison.

In July 2016 a section of the armed forces launched a coup. It collapsed very quickly. Erdogan used the coup as an excuse for an extremely wide-ranging purge.

Turkey today appears to be a dictatorship with some parliamentary window dressing.



What is the PKK?

The foundation congress of the PKK took place in November 1978 near the Turkish town of Lice. The leading figure in the group was Abdullah Öcalan.

When the military coup took place in September 1980, Öcalan and most of the group's forces withdrew to Syria.

In 1984 the PKK launched an armed insurgency. With ceasefires in 1993 and again in 1999-2004, the conflict continued until 2013. Now the government has restarted it.

The human cost of the war was enormous. Over 40,000 people died (mostly Kurdish). In addition, 4000 villages were destroyed and several million people displaced.

The PKK has established bases and a zone of control in the mountainous region of northern Iraq, bordering both Turkey and Iran.

The PKK and its co-thinkers are active in all the areas of Kurdistan.

New orientation adopted

A turning point in the long civil war came in 1998 when PKK leader Öcalan was forced to leave Syria. No European country wanted to give him refuge and eventually he was forced to go to Kenya where US agents arrested him and turned him over to Turkish authorities. He has been in prison since 1999.

From jail Öcalan called for a completely new strategy. A peace process was to be initiated

with the Turkish government and the PKK would transform into an open legal movement. Armed self-defence was legitimate but must be kept within strict and defined limits.

The fight for an independent state was to be abandoned; this was unrealistic both militarily and politically. Instead the movement would struggle for autonomy in a democratised Turkey. The new doctrine was termed 'democratic confederalism'.

The emphasis on grassroots democracy, ecology, creating a society where all ethnic and religious communities can live together peacefully and cooperatively and the tremendous and unprecedented weight given to the empowerment of women — even defining the fundamental changes needed as a women's revolution and the PKK as a women's party — all this is genuinely distinctive and deeply progressive and points the way forward for the whole Middle East.

The revolutionary process in northern Syria with its ethnic and religious pluralism, grassroots democracy and the massive role of women in the defence forces and the leadership showcases what 'democratic confederalism' means. It is a very real and attractive alternative both to the barbarism of the Islamic State and the brutality of the Assad dictatorship.

PKK ban: Government's case very weak

The Australian government's case for putting the PKK on the list of terrorist organisations is a very strange document.¹

Firstly, any armed action is classified as terrorism. Does our government recognise legitimate self-defence? And if so, under what circumstances? What about Jews in the Warsaw Ghetto in 1943 facing death in Nazi gas chambers? Or Blacks suffering under the apartheid yoke in South Africa in the 1970s and 1980s?

Secondly, and related to the above, the government dossier makes absolutely no mention of the long, heavy oppression and discrimination endured by the Kurds in Turkey ever since 1923. It makes absolutely no mention of the Erdogan regime's scrapping of the peace process and its turn to a brutal, bloody war against the Kurdish people.

Thirdly, the government's indictment of the PKK is simply a list of alleged attacks on military and police personnel. Whether the list is true or false, that is what often happens

in a country when the level of repression becomes unbearable.

Just look at Turkey today. Civil servants purged in their thousands; journalists jailed; opposition media banned or simply taken over; the judiciary totally partisan; the HDP virtually suppressed; elected mayors dismissed; and the security forces waging a dirty war in the Kurdish southeast. And now Erdogan has launched a brazen invasion against peaceful Afrin in northern Syria.

But the Kurds must never pick up a weapon to defend themselves lest they be called 'terrorists'!

The 'abducted' children

Included on the national security website is the claim that the PKK 'is reported to have kidnapped more than 300 children between December 2013 and May 2014'.

This is a complete fabrication. There was no kidnapping. In conditions of ongoing oppression, in which many Kurds feel that

they have no place in a racist Turkey, a number of young people made contact with the PKK of their own accord.

The then HDP co-leader, Ertugrul Kürkçü, made the point that the best way to make it possible for the teenagers to return to their families would be to establish a genuine peace process.²

Drop the ban

The PKK simply should not be on our list of terrorist organisations. It is a completely legitimate national liberation movement, supported by *millions* at home and abroad. It is willing to negotiate with the authorities but the same cannot be said of the government. And that is the *real* problem.

1 <https://www.nationalsecurity.gov.au/Listedterroristorganisations/Pages/KurdistanWorkersPartyPKK.aspx>

2 <http://www.hurriyetdailynews.com/political-debate-over-children-abducted-by-pkk-deepens-67368>



Heavily damaged building in Diyarbakir, Turkey, April 2016 after months-long army assault.

PKK: A new life for women

Historically Kurdish society was deeply patriarchal but this began to change under the impact of the civil war in the 1980s and 1990s. Dislocation, protests, arrests and imprisonment shook things up. More women became active politically.

Growing numbers of young women joined the PKK. They were reacting not only against the brutal racist Turkish state but also against patriarchal restrictions on women, forced marriages, domestic violence and honour killings.

Öcalan argues that a country can't be free

unless its women are free and this resonates with so many women rebelling against their highly circumscribed role in a male-dominated society.

In the early 1990s the PKK formed separate women-only structures to give women space to develop their self-confidence and capacities out of the shadow of men. The PKK women's army is called YJA Star (Free Women's Units).

At the PKK's founding congress in 1978 only two of the 11 attendees were women. Today about 40% of the organisation is female. The courageous example of the

female fighters and the hundreds of martyrs they have furnished to the struggle has had a great effect on Kurdish society.

In August 2014 the Yazedi Kurds at Sinjar in northern Iraq suffered the genocidal onslaught of the Islamic State and were abandoned by the peshmerga of the Kurdistan Regional Government. PKK forces, along with the YPG/YPJ from northern Syria, mounted a dramatic rescue mission in which women fighters were particularly prominent.

The PKK's unprecedented prioritisation of women's liberation has had a profound influence on the whole Kurdish freedom movement. Something radically new is taking place.

Duncan Kerr: 'A net to catch the innocent'

The following article by Duncan Kerr was carried in the May 1, 2006 edition of the *Melbourne Age*. It has been slightly abridged. At the time Kerr was the Labor MHR for Denison. Today he is a Federal Court judge.

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Last week Federal Parliament's Joint Committee on Intelligence and Security (formerly known as the Joint Committee on ASIO, ASIS and Defence Signals Directorate) tabled a report that has far-reaching implications for the civil rights of, potentially, thousands of Australians. The report was a review of the Howard Government's December 2005 decision to list the Kurdistan Workers Party (PKK) as a terrorist organisation. The Criminal Code Act 1995 makes membership of or support for any organisation listed a criminal offence and imposes severe penalties.

The majority of the committee members supported the listing of the PKK as a "proscribed organisation" under the code — though it also recommended that the government keep the matter under review. The committee asked the government to consider the number of Australians who support the PKK's broad aims without endorsing terrorist activity and whether it might be sufficient to ban only the PKK's military wing, the Kurdistan Freedom Brigade. It also asked the government to take into account the fluid moves towards ceasefires between the PKK and the government of Turkey.

There are about 5000 Australians of Kurdish origin. Notwithstanding the committee's careful qualifications, the ban on the PKK potentially exposes thousands of Australians of Kurdish background to imprisonment, because belonging to the PKK now carries a 10-year jail term. Just associating with the PKK carries a three-year term. Many of those affected could be people who have lived perfectly ordinary lives in Australia and who have had nothing to do with terrorism, but who identify the PKK as "their party" in the sense that they support it as a legitimate national liberation movement fighting for the freedom of the Kurdish people.

The joint committee does not normally divide on partisan lines. In the past, the committee has reached unanimous conclusions but in this case it was not possible. As a result, I joined in a minority report with Senator John Faulkner, which recommends that the government reassess its listing of the PKK.

Australia lists 19 organisations under the Criminal Code, including the PKK. But in no other case has there been reason to believe that the banning of an organisation could catch large numbers of Australians or impinge on



their civil rights. The organisations that have been banned have been terrorist groups pure and simple or the military (terrorist) wings of larger organisations such as Hamas or Hezbollah.

The committee received no evidence that a ban on the PKK would directly benefit Australia's national security. There was no evidence of any terrorist activity by the PKK or members of the Kurdish community in Australia. This country already has strong laws criminalising conduct involving terrorism — sending money out of Australia to aid the PKK is already prohibited, just as it is already an offence for an Australian to serve an organisation seeking to overthrow a foreign government by force. Nor have Australians overseas been directly targeted.

The joint committee had previously adopted criteria, submitted by ASIO, to guide its decisions regarding proposed listings of terrorist organisations. The criteria were designed to justify discrimination between organisations that have resorted to the use of political violence that should be listed as terrorist organisations and those (the larger

majority) that should not. The Australian Parliament relies on the joint committee to ensure that the quite extraordinary legal step of making it a crime to support or belong to an organisation is not taken inappropriately. The joint committee has published those criteria in its reports. There has been no rationale put forward in this case to justify a departure from the policy ASIO itself identified in earlier hearings. The listing of the PKK does not meet these criteria.

Our minority report asks the government to reassess the listing. It asks why any ban could not be limited to the PKK's military arm. This has been the approach taken on other groups such as Hamas, which have both political and armed aspects. The government's own statement of reasons for listing the PKK referred to the PKK's military wing — so such a distinction would have been possible. A limited ban would allow Australians to exercise their democratic rights to express their support for the PKK and its campaign for a Kurdish homeland while at the same time treat membership or support for their military or terrorist wings as an offence.

The impact on Australia's Kurdish community of the enforcement of these laws could be far-reaching and disastrous, not just for those peaceable individuals who could unwittingly be caught up in terrorism trials, but more broadly for the relations between civic groups and the government. Notwithstanding the usually legitimate reasons we share in responding strongly to terrorism, there is suspicion among some communities in Australia about the government's rhetoric of equality and respect when it comes to people of different faiths. The precedent of this listing could well serve to entrench and broaden such views. If it does Australia will be a weaker nation, not safer, as a result.

Support the campaign ● Get in touch ● Donate

If you want to help the campaign to take the PKK off the terror list, check out our website and Facebook page. You can contact us via email or Facebook and follow us on Twitter.

Things you can do —

- Send a postcard to the federal Attorney-General asking that the ban be lifted.
- Endorse the open letter to the Australian Government (you can sign up online on our website).
- Get copies of this brochure to distribute to likely supporters.
- Donate to the campaign to help us pay for printing and postage.

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